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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,503	07/26/2001	Kenichi Kimura	010945	6282

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EXAMINER	
FEGGINS, KRISTAL J	

ART UNIT	PAPER NUMBER
2861	

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

GA

Office Action Summary	Application No.	Applicant(s)	
	09/912,503	KIMURA ET AL.	
	Examiner	Art Unit	
	K. Feggins	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 August 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *2,4 and 5* is/are allowed.

6)☒ Claim(s) *1 and 3* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a)☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 & 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 5,221,035) in view of Sasaki et al. (US 6,278,472 B1).

Suzuki et al. disclose the following claimed limitations:

* a printer for unidirectionally feeding a printed sheet which has been printed between a thermal head (17) and a platen (20), by paired feed rollers (15) provided downstream said thermal head in a feeding direction, wherein said platen is rotatably provided free from being rotated by a driving power source (col 4, lines 37-40), one roller of said paired feed rollers located on said thermal head side with respect to said printed sheet and the other roller located on said platen side (fig 2).

* wherein a portion of roller contacting said printed sheet is formed of nonadhesive/synthetic/ rubber (col 1, lines 64-68) /rollers are made of a rubber material/

Suzuki et al. do not disclose the following claimed limitation:

* one roller of said paired feed rollers located on said thermal head side with respect to said printed sheet is a driving roller which is rotated by a driving power

source, and the other roller located on said platen side is a driven roller which is not rotated by said driving power source.

Oba discloses the following claimed limitations:

* one roller of said paired feed rollers located on said thermal head (15) side with respect to said printed sheet is a driving roller which is rotated by a driving power source, and the other roller located on said platen/roller, 53/ side is a driven roller which is not rotated by said driving power source (fig 8) /roller 13 is driven by a source and roller 14 is not rotated by the driving power source for the purpose of recording visible images on a recording sheet.

It would have been obvious at the time of the invention was made to a person having ordinary skill in the art to utilize one roller of said paired feed rollers located on said thermal head side with respect to said printed sheet is a driving roller which is rotated by a driving power source, and the other roller located on said platen side is a driven roller which is not rotated by said driving power source, taught by Oda into Suzuki et al. for the purpose of recording visible images on a recording sheet.

Allowable Subject Matter

3. Claims 2 & 4-5 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The primary reason for indicating allowable subject matter of claims 2 & 4-5 is the inclusion of a printer for feeding a printed sheet that includes a moving member on

which the thermal head and the driving roller, or the platen and the driven roller are mounted, the moving member being held on a fixing portion to be movable in a direction in which the thermal head and the platen, the driving roller and the driven roller respectively approach to or separate from each other, so that when the moving member is moved in a direction of separation, portions between the thermal head and the platen and between the driving roller and the driven roller are both exposed to the outside; and a moving member on which the thermal head and the driving roller, or the platen and the driven roller are mounted, the moving member being held on a fixing portion to be movable in a direction in which the thermal head and the platen, the driving roller and the driven roller respectively approach to or separate from each other. It is these limitations found in the claims, as they are claimed in the combination of, which has not been found, taught or suggested by the prior art of record that makes these claims allowable.

Response to Arguments

4. Applicant's arguments with respect to claims 1 & 3 have been considered but are moot in view of the new ground(s) of rejection. Suzuki et al. in view of Oda disclose a pair of rollers downstream from the platen roller and the thermal head along with the one roller on the side of the thermal head is driven by a power source and the other roller being on the side of the platen roller is not driven by the power source.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yana (US 4,505,603) thermal transfer color printer and a method relating thereto. Tomida (US 4,695,173) printing apparatus with a thermal print head. Wataya et al. (US 4,887,095) disclose an image recording apparatus using several types of energy and recording process. Koike et al. (US 4,948,282) disclose a drive device for a thermal transfer printer. Fukahori et al. (US 5,360,278) color thermal printer with a rotatably platen roller. Mitsushima et al. (US 5,645,361) disclose a thermal transfer type color printer having a feed roller with micro projections. Takatori (US 5,813,783) disclose a conveying device for a recording paper. Iso (US 5,988,907) discloses a paper transport device for a color thermal printer. Kono (US 6,183,151 B1) disclose a sheet feeding apparatus.

Communication With The USPTO

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Feggins whose telephone number is 703-306-4548. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, B. Fuller can be reached on 703-308-0079. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

K. Feggins
November 12, 2003